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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

CYNTHIA HORNER,  
  
Plaintiff,  
  
v.  
  
BAYVIEW LOAN SERVICING, LLC, *et al.*,  
  
Defendants.

Case No. 2:17-cv-01506-RFB-NJK  
  
**ORDER**  
  
Defendants’ Motion to  
Expunge *Lis Pendens*

The Court held a hearing in this matter on Defendants Bayview Loan Servicing, LLC and Bank of New York Mellon as Trustee’s Motion for Summary Judgment (ECF No. 28) on September 7, 2018. ECF No. 42. At the hearing, the Court granted summary judgment in favor of Defendants on Plaintiff’s quiet title claim. Id. For the reasons stated on the record at the September 7, 2018 hearing, the Court finds Plaintiff cannot demonstrate a likelihood of prevailing or a fair chance of success on the merits of her claims as required for a viable *lis pendens* claim. See Nev. Rev. Stat. § 14.015(3) (requiring a party who records a notice of lis pendens to “establish to the satisfaction of the court either: (a) That the party who recorded the notice is likely to prevail in the action; or (b) That the party who recorded the notice has a fair chance of success on the merits in the action and the injury ... would be sufficiently serious ....”). The Court orders the notice of *lis pendens* be expunged accordingly.

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1           **IT IS THEREFORE ORDERED** that the County Recorded for Clark County, Nevada is  
2 directed to expunge the notice of *lis pendens* recorded by Plaintiff Cynthia Horner on the property  
3 located at 5880 Via Manigua, Las Vegas, NV 89120; APN 161-32-106-024.

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5           DATED this 12th day of September, 2018.

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**RICHARD F. BOULWARE, II**  
**UNITED STATES DISTRICT JUDGE**